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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8230  
Keith A. Miesel  
Serial No.: 10/825,955 Filed: April 15, 2004  
Examiner: Jeffrey Gerben Hoekstra Group Art Unit: 3736  
Docket No.: 1023-362US01 Customer No.: 28863  
Title: COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA  
A MEDICAL DEVICE

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on August 1, 2006

By:

Name: Shirley A. Bethach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This Information Disclosure Statement is being filed after a first Office Action on the merits but before a Notice of Allowance or a Final Rejection.

Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

Our check in the amount of \$180.00 is enclosed to cover the required fee set forth in §1.17(p) for a large entity. Please apply any other charges or credits to Deposit Account No. 50-1778.

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Respectfully submitted,

By: Jason D. Kelly  
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<b>Form 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 1023-362US01		Application Number: 10/825,955
	Applicant: Kenneth T. Heruth; Keith A. Miesel		
	Filing Date: April 15, 2004		Group Art Unit: 3736
	Examiner Name: Jeffrey Gerben Hoekstra		

### U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue/Document Publication Date	Name	Filing Date If Appropriate
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### FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Translation	
				Yes	No

### OTHER DOCUMENTS (Including Authors, Title of Item, Page(s), Vol/Issue No., Publisher, Place of Publication)


<b>EXAMINER</b>	<b>Date Considered</b>

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.